

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

March 30, 2018

EDUCARE AT INDIAN HILL
Educare of Omaha, Inc., Owner
Amie M. Coomes, Director
3110 W Street
Omaha, NE 68107

Dear Ms. Coomes:

In accordance with the letter written by Jo Pfeiffer, Child Care Licensing Supervisor, on March 6, 2018, the original License of Educare at Indian Hill to operate as a Child Care Center in the State of Nebraska has been placed on Corrective Action Status. A license imprinted with the term "Corrective Action Status" is enclosed. This status became effective March 29, 2018, and it will remain in effect until September 29, 2018. Upon completion of this term, a new license will be issued to the Center.

At this time we ask that you submit the current license of Educare at Indian Hill by return mail, within the next seven (7) days, to DHHS, Division of Public Health, Licensure Unit, Attn: Chris Kort, 301 Centennial Mall South, Lincoln, NE 68509-4986.

If you have any questions, please contact Jo Pfeiffer, Child Care Licensing Supervisor, at (402) 595-3335.

Sincerely,

Becky Wisell, Administrator
Licensure Unit
301 Centennial Mall South
Lincoln, NE 68509-4986

BW/dcp

cc: Children's Services Licensing

This license shall be kept available in the establishment and such proof of credentialing shall be shown upon request.

State of Nebraska

Department of Health and Human Services
Division of Public Health

EDUCARE OF OMAHA, INC

is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating **Child Care Center**
located at: **3110 W ST Omaha NE 68107**

A maximum of **200** children in ages **6 WKS** to **6 YRS** may be in attendance at any one time during the hours of **0700** to **1800** on **MTWTHF**.

EDUCARE AT INDIAN HILL owned by **EDUCARE OF OMAHA, INC** is hereby issued License No. **CCC9139**

whose status is **Active-Corrective Action Status** effective from **03/29/2018**

Amended: 03/29/2018

Given under the name and Seal of the Department of Health and Human Services Regulation and Licensure of the State of Nebraska at Lincoln on **April 4, 2018.**



Thomas L. Williams, M.D., M.P.H. **[Redacted]**
Director, Division of Public Health
Department of Health and Human Services

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

March 29, 2018

Educare at Indian Hill
Owner: Educare of Omaha, Inc.
3110 W St.
Omaha, NE 68107

Dear Ms. Coomes:

The Nebraska Department of Health and Human Services, Children's Services Licensing, has received your corrective action plan. The attached corrective action plan received on March 22, March 23, and March 28 has been reviewed and given final approval effective March 29, 2018.

A new license identified with "Corrective Action Status" will be mailed to your facility. The new license is to be posted in a prominent location. This license status will be in effect for a period of six months from the date of approval, March 29, 2018 to September 29, 2018.

Compliance with the terms of the Corrective Action Status will be monitored by announced or unannounced inspections to your facility by Children's Services Licensing staff. Any violation may be grounds for discipline as the Office of Children's Services Licensing Program may determine appropriate.

If you have any questions, please contact Stef Sellers, Child Care Inspection Specialist, at 402-595-3340 or me.

Sincerely,

[Redacted Signature]
Jo Pfeiffer, Child Care Licensing Supervisor
Office of Children's Services Licensing
Department of Health and Human Services
1313 Farnam St.
Omaha, NE 68102

Cc: Stef Sellers, Child Care Inspection Specialist
Chris Kort, Administrative Assistant

Corrective Action Plan Monitoring Plan – Room 184 – Unsupervised Child

Expectation/Action: Participate in Active Supervision Training Module through Office of Head Start

Monitoring Plan: Training Certificates will be provided when completed and filed on site

Expectation/Action: Active Supervision to include the use of counting during transitions and throughout group activities

Monitoring Plan: Checklist provided to classroom as well as Licensing Child Care Inspection Specialist will be used daily. Documentation will be done regarding a count of children each hour as well as during transition times leaving the classroom each day. These will be periodically checked for follow through by an administrator (5x throughout the week). Records will be kept in Classroom file with Master Teacher and copies filed with School Director.

Expectation/Action: Reflective Supervision and Coaching/Observation as a Team with Supervisor on a weekly basis

Monitoring Plan: Master Teacher will have notes from weekly meetings with team and Coaching/Observations in the classroom kept in her office files. These will be available for review and uploaded to Internal Monitoring in Child Plus.

Expectation/Action: Dedicated team planning time for Classroom lesson planning and debriefing (1-2 hours per week)

Monitoring Plan: Team planning documentation will occur on classroom schedule as well as identified with completed lesson plans. This documentation will be uploaded to Internal Monitoring in Child Plus.

Expectation/Action: Positive Behavior Intervention and Supports Training for Team (Module 2 and 3)

Monitoring Plan: Training Certificates will be provided upon completion. Module 2 is scheduled for March 28th and Module 3 is scheduled during Teacher Meetings on each Tuesday in April.

WORK IMPROVEMENT PLAN

Employee Name and Position:
Classroom 184 – Erica Gillespie – LEAD Teacher, Michelle Lopez, and Shannon Mulcahy

Supervisor Name and Position:
Sue Pace, Master Teacher (Amie Coomes, School Director)

Department:

30 day 60 Day XX 90 Day **Performance Cycle Dates:**

Rating scale that will be used to determine achievements in the work improvement plan.

Performance Ratings Codes - Definitions

- 5 / Outstanding (O):** Performance is far above the defined job expectations. The employee consistently does outstanding work, regularly going far beyond what is expected of employees in this job. Performance that exceeds expectations is due to the effort and skills of the employee. Any performance that is not consistently exceeding expectations is minor or due to events not under the control of the employee.
- 4 / Very Good (VG):** Performance meets the defined job expectations and in many instances exceeds job expectations. The employee generally is doing a very good job. Performance that exceeds expectations is due to the effort and skills of the employee
- 3 / Good (G):** Performance meets the defined job expectations. The employee generally performs according to the expectations doing a good job. The employee is doing the job at the level expected for employees in this position. The good performance is due to the employee's own effort and skill.
- 2 / Below Good (BG):** Performance may meet some of the job expectations but does not fully meet the remainder. The employee is generally doing the job at a minimal level, and improvement is needed to fully meet the expectations. Performance is less than a good job. Lapses in performance are due to the employee's lack of effort or skill.
- 1 / Unsatisfactory (U):** Performance generally fails to meet the defined expectations or requires frequent, close supervision and/or the redoing of work. The employee is not doing the job at the level expected for employees in this position. Unsuccessful job performance is due to the employee's own lack of effort or skills.

Disagreement with Ratings

You have the right to formally dispute performance ratings.

PART I: WORK PLANNING

Section I: Job Responsibilities and Performance Expectations

(1) Key Responsibility	(2) Expected level of Performance	(3) Method(s) of Evaluation	(4) Actual Performance (Comments)	(5) Rating
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Key Responsibility
Supervision and Accountability for Children within Classroom 184

Observations of Current Performance

On 2/21/18 a child, JS, was found to be left alone for approximately 10 minutes in his classroom before rejoining group in a different area of the building (gym). Building Engineer found child and returned him to classroom staff and children. During the time he was unaccounted for, staff did not engage in counting of children nor did they notice that they had one child unaccounted for.

Expected Level of Performance

Adequate and appropriate supervision must be provided to children at all children are in attendance. (3-006.19) According to Educare Policy and Nebraska Department of Health and Human Services Children’s Licensing Regulations, adequate and appropriate supervision includes: 1. Knowing the whereabouts and being within sight or sound of all children at all times and 2. Being awake, alert, attentive, and responsive to the needs of all children. (3-002 Definitions)

Active Supervision as defined by Office of Head Start. **Active supervision** is a set of strategies for supervising infants, toddlers, and preschool children. Expectations are as follows (but not limited to):

- Set up the environment to supervise children at all times. This may include developing and posting a daily classroom schedule for children, teachers, substitutes, and volunteers to follow that helps to keep the day predictable. The height and arrangement of classroom furniture and outdoor equipment should be considered to allow effective monitoring and supervision of children at all times.
- Position staff to see and reach children at all times. Plans can include staffing charts that identify the teacher responsible for each area or activity and his or her duties during transitions before and after an activity.
- Scan the environment, including assigned areas of the classroom or outdoor area, and count the children. Staff need to communicate with each other so everyone knows where each child is and what each one is doing. This is especially important in play areas and on the playground when children are constantly moving.
- Listen closely to children and the environment to identify signs of potential danger immediately. Listen to and talk with team members, especially when a staff person or a child has to leave the area, so that staff knows where other staff are located.
- Anticipate children’s behavior to give children any needed additional support, especially at the start of the school year and during transitions. Children who wander off or lag behind are more likely to be left unsupervised.

PART III: PERFORMANCE SUMMARY

WORK PLANNING COMPLETE

See original signed copy in employee file

Employee Signature _____ Date _____ Supervisor Signature _____ Date _____ Manager Signature _____ Date _____

*Employee signature does not imply agreement with the work plan - only that the employee was given the opportunity to discuss it with the supervisor.

15 DAY REVIEW COMPLETE

Employee Signature _____ Date _____ Supervisor Signature _____ Date _____

*Employee signature does not imply agreement with the interim review - only that the employee was given the opportunity to discuss it with the supervisor.

30 DAY REVIEW COMPLETE
(Check one Performance Rating)

1 Unsatisfactory 2 Below Good 3 Good 4 Very Good 5 Outstanding

SUPERVISOR COMMENTS:

EMPLOYEE COMMENTS:

Employee Signature _____ Date _____ Supervisor Signature _____ Date _____ Manager Signature _____ Date _____

* Employee signature does not imply agreement with the annual performance appraisal rating - only that the employee was given the opportunity to discuss it with the supervisor.

60 DAY REVIEW COMPLETE
(Check one Performance Rating)

1 Unsatisfactory 2 Below Good 3 Good 4 Very Good 5 Outstanding

SUPERVISOR COMMENTS:

Overall Performance Rating

EMPLOYEE COMMENTS:

Employee Signature _____ Date _____ Supervisor Signature _____ Date _____ Manager Signature _____ Date _____

* Employee signature does not imply agreement with the annual performance appraisal rating - only that the employee was given the opportunity to discuss it with the supervisor.

90 DAY REVIEW COMPLETE
(Check one Performance Rating)

1 Unsatisfactory 2 Below Good 3 Good X 4 Very Good 5 Outstanding

Overall Performance Rating

SUPERVISOR COMMENTS:

EMPLOYEE COMMENTS:

Employee Signature _____ Date _____ Supervisor Signature _____ Date _____ Manager Signature _____ Date _____

* Employee signature does not imply agreement with the annual performance appraisal rating - only that the employee was given the opportunity to discuss it with the supervisor.

Active Supervision Classroom Checklist

Week of _____ Time	Monday # of Children	Staff Initials	Tuesday # of Children	Staff Initials	Wed. # of Children	Staff Initials	Thursday # of Children	Staff Initials	Friday # of Children	Staff Initials
8:00am										
9:00am										
10:00am										
11:00am										
12:00pm										
1:00pm										
2:00pm										
3:00pm										
4:00pm										
5:00pm										
Transition to Room _____										
Transition Activity _____										
Transition Activity _____										
Transition Activity _____										

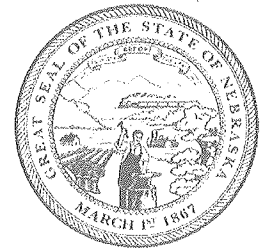
Administrator Signature _____ Day/Time: _____
 Administrator Signature _____ Day/Time: _____
 Administrator Signature _____ Day/Time: _____
 Administrator Signature _____ Day/Time: _____

** An administrator will periodically check in to ensure active supervision as occurred and that the checklist is current in counts recorded.

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

March 6, 2018

CERTIFIED MAIL

Educare at Indian Hill
Owner: Educare of Omaha, Inc.
Director: Amie Coomes
3110 W St.
Omaha, NE 68107

Dear Ms. Coomes:

Nebraska Revised Statutes, section 71-1911 (4), of the Child Care Licensing Act provides that the department may place a license on Corrective Action Status..., a non-disciplinary probationary license may be issued for the licensee to operate under Corrective Action Status if the department determines that:

- a) The Licensee is unable to comply with all the licensure requirements and standards or has had a history of noncompliance;
- b) The effect of noncompliance with any rule or regulation does not present an unreasonable risk to the health, safety, or well-being of children or staff; and
- c) The Licensee has a written plan of correction that has been approved by the department.

FACTS:

On February 21, 2018 at approximately 11:30am a 5 ½ year old male child was left unsupervised in his classroom for 10-15 minutes. One teacher had left the classroom with 5 children to go to the gym and shortly thereafter the second teacher in the room took the remaining children to the gym. The child had been in the bathroom when the teachers and children went to the gym. At 11:40am, Building Maintenance went to the classroom and saw the child by himself. The teachers did not recognize that a child was missing from their groups, until the child was brought to them by the maintenance person.

REGULATORY BASIS:

391 NAC 3-006.19 Supervision of Children (page 34):

Adequate and appropriate supervision must be provided to children at all times children are in attendance, including during outdoor play. Ultimate responsibility for supervision rests with the licensee.

391 NAC 3-003.05B, Corrective Action Status (page 11): The Department may place a provisional or operating license on corrective action status for up to six months if:

1. The licensee is unable to comply with all licensure requirements and standards or has a history of noncompliance;

2. The effect of noncompliance with any rule of regulation does not present an unreasonable risk to the health, safety, or well-being of children or staff; and
3. The licensee has a written plan of correction that has been approved by the Department.

Based on the facts presented above and the regulations violated, the department is placing your license on Corrective Action Status for a period of 6 months. Corrective Action Status is voluntary and the decision regarding placement on Corrective Action Status is not appealable. However, you are required to submit a written Plan of Correction that must be approved by the department. The following items must be included in your written Plan of Correction:

1. Identification of issue(s) concern;
2. Provisions for how you will correct and maintain compliance;
3. Specify the written documentation to be provided to the Department;
4. Identify who is responsible (include position titles) for corrections and maintenance of compliance; and
5. Timelines.

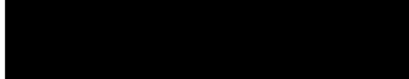
Please submit your written Plan of Correction to Stef Sellers, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, 1313 Farnam St., 3rd Floor, Omaha, NE 68102 **within ten calendar days** after you receive this letter.

If you do not submit a written Plan of Correction, or the written Plan of Correction is not approved, the department may discipline your license by imposing one or a combination of the following types of Disciplinary Action:

1. Issue a probationary (disciplinary) license;
2. Suspend or revoke a provisional, probationary or operating license;
3. Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care on the effective date of the finding of the violation, for each day the program is in violation;
4. Establish restrictions on new enrollment in the program;
5. Establish restrictions or other limitations on the number of children or the age of the children served in the program; or
6. Establish other restrictions or limitations on the type of service provided by the program.

If you have questions regarding this letter, please contact Child Care Inspection Specialist, Stef Sellers, 402-595-3340 or Child Care Licensing Supervisor, Jo Pfeiffer, 402-595-3335.

Sincerely,


Jo Pfeiffer, Child Care Licensing Supervisor
Nebraska Department of Health and Human Services
Office of Children's Services Licensing
1313 Farnam St, 3rd Floor
Omaha, NE 68102

cc: Stef Sellers, Child Care Inspection Specialist
Amanda Adams, Resource Development
Office of Children's Services Licensing, Central Office

INSPECTION COMPLIANCE REVIEW

Nebraska Department of Health and Human Services
 Division of Public Health
 Licensure Unit
 1313 Farnam St.
 Omaha, NE 68102

Department of Health & Human Services



TO BE COMPLETED BY CHILD CARE INSPECTION SPECIALIST			
Facility Name and Physical Address EDUCARE AT INDIAN HILL owned by EDUCARE OF OMAHA, INC 3110 W ST Omaha NE 68107	License #/Licensee CCC9139 EDUCARE OF OMAHA, INC Telephone 402-502-0352	Time of Visit 1:00PM	Date of Visit 02/28/2018
Child Care Inspection Specialist/Telephone Number Stefanie Sellers - 402-595-3340	Purpose of Visit Self Report	Type of Facility Child Care Center	
STANDARDS VIOLATED			
3-006.19 Supervision of Children			
NARRATIVE: Narrative must include observation, discussion, action needed and date corrections are to be made by. CCIS conducted an inspection on 2-28-18 regarding a self-report and met with director, Amie Coomes. A 5 year old male child had been left alone for approximately 10-15 minutes on 2-21-18. Amie indicates that on 2-21-18 at approximately 11:30am, 5 1/2 year old JS was left in his classroom unsupervised. Amie states that 1 teacher left with 5 children to go to the gym and the other teacher left with 6 children. Amie indicates that JS was in the bathroom when the children and 2 teachers went to the gym (CCIS noted in this particular room there is a bathroom that adjoins 2 classrooms and the doors leading out to each classroom are open.) At 11:40am Building Maintenance went to the classroom and saw JS by himself in the room. His pants were unzipped and he asked for help wiping himself. The teacher in the adjoining room came to assist with J and then took him to the gym. At no point did J's teachers in the gym notice that he was missing. 391 NAC 3-006.19 Supervision of Children <ul style="list-style-type: none"> • A 5 year old male child was left unsupervised for approximately 10 minutes. • Department Decision is pending 		Correct By	Actual Date Corrected
PROVIDER COMMENTS A Provider may submit written comments to be attached to this form.			

Sellers, Stefanie

From: Amie Coomes <acoomes@educareomaha.org>
Sent: Wednesday, February 21, 2018 3:08 PM
To: Sellers, Stefanie
Subject: Licensing - Educare Indian Hill

Stefanie,

I wanted to notify you that Educare Indian Hill had a child left unsupervised for a period of time of approximately 10-15 minutes in the classroom today, 2/21/18. Lead Teacher directly involved has been placed on administrative leave and we are investigating the situation and interviewing involved parties. Parent has been notified and is aware of the situation that transpired.

What further information do you need from me as well as documentation do you need? I have an incident report signed by the parent involved as well.

Thank you so much for your assistance.

Amie Coomes, MS, MPA

School Director
Educare Omaha at Indian Hill
3110 W St.
Omaha, NE 68107
402-502-0352

"Be the change you wish to see in the world" *Mahatma Gandhi*

Omaha Public Schools does not discriminate. [Click here](#) to see our policy.

Las escuelas públicas de Omaha es no discriminar. Haga clic [aquí](#) para ver nuestra política. The sender of this email is a contracted outside resource for the Omaha Public School district. Any views or opinions presented in this e-mail are solely those of the author and do not necessarily represent those of the Omaha Public School district.

April 23, 2015


EDUCARE AT INDIAN HILL
Deborah Winkelmann, Director
3110 W Street
Omaha, NE 68107

Dear Ms Winkelmann:

In accordance with the letter written by Jo Pfeiffer, Child Care Licensing Supervisor, on April 22, 2015, your original License to operate a Child Care Center in the State of Nebraska has been placed on Corrective Action Status. A license imprinted with the term "Corrective Action Status" is enclosed. This status became effective April 22, 2015, and it will remain in effect until October 22, 2015. Upon completion of this term, a new license will be issued to you.

At this time we ask that you submit your current license by return mail, within the next seven (7) days, to DHHS, Division of Public Health, Licensure Unit, Attn: Marsha Wandersee, 301 Centennial Mall South, Lincoln, NE 68509-4986. If you have any questions, please contact Children's Services Licensing at (402) 471-9302.

Sincerely,



Becky Wisett, Administrator
Licensure Unit
301 Centennial Mall South
Lincoln, NE 68509-4986

BW/dcp

cc: Children's Services Licensing

This license shall be kept available in the establishment and such proof of credentialing shall be shown upon request.

State of Nebraska

Department of Health and Human Services
Division of Public Health

EDUCARE OF OMAHA, INC

is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating Child Care Center
located at: 3110 W ST Omaha NE 68107

A maximum of 200 children in ages 6 WKS to 6 YRS may be in attendance at any one time during the hours of 0700 to 1800 on MTWTHF

EDUCARE AT INDIAN HILL is hereby issued License No. CCC9139
whose status is Active-Corrective Action Status effective from 04/22/2015

Amended: 04/22/2015

Given under the name and Seal of the Department
of Health and Human Services Regulation and
Licensure of the State of Nebraska at Lincoln on
April 23, 2015.



Joseph M. Acierno, M.D., J.D., Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services

411400



Division of Public Health

State of Nebraska
Dave Heineman, Governor

1801 North 73 ST, Omaha, NE 68114

April, 22, 2015

Educare at Indian Hill
3110 W Street
Omaha, NE 68107

Attn: Deborah Winkelmann, Director

Dear Ms. Winkelmann:


The Department of Health and Human Services, Office of Children's Services Licensing, received your corrective action plan on April 21, 2015. Your final corrective action plan received on April 22, 2015, has been approved effective April 22, 2015 and is attached. Your Corrective Action Status will be effective until October 22, 2015

A license indicating "Corrective Action Status" will be mailed to your facility, which you must post in a prominent place.

Compliance with the terms of the Corrective Action Status will be monitored by unannounced inspections to your facility by Child Care Licensing staff. Any violation may be grounds for discipline as the Office of Children's Services Licensing program may determine appropriate.

If you have any questions, please contact Stef Sellers at 402-595-3340 or Jo Pfeiffer at 402-595-3335.

Sincerely,


Jo Pfeiffer, Child Care Licensing Supervisor
Children's Services Licensing
Nebraska Department of Health and Human Services, Division of Public Health
1313 Farnam St.
Omaha, NE 68102

cc: Gina Ewing, Staff Assistant II
Stef Sellers, Child Care Inspection Specialist
Marsha Wandersee, Administrative Assistant II
Nancie Leinen, Resource Development, Contract Management Division

Plan of Correction
Educare of Omaha at Indian Hill
3310 W Street
Omaha, NE 68107

Issue of Concern: Educare's School Director failed to report suspected abuse or neglect as required by Neb. Rev. Stat. 28-372 and 28-711. Because of this it was detrimental to the health and safety of a child served by Educare.

Area for Improvement	Resources Provided	Expected Outcomes	Who is responsible	Date of Completion
Supervision / Accountability: School Director must immediately file a report with the Child Abuse-Neglect Hotline (1800-652-1999) and/or appropriate local law enforcement agency when she has reason to believe child abuse, neglect, or sexual abuse may be occurring in the child care center, in the child's home, or elsewhere or ensure that a report is filed.	Nebraska Child Care Licensing, Child Abuse Training, Head Start Standards, Webinar from Early Childhood Investigators: Why Staff Fail to Report Suspected Child Abuse: Strategies to Ensure Consistent Reporting by Alan Gutman	All suspected child abuse or neglect is reported	School Director, Executive Director	Immediately
Documentation: Certificate of training and Child Plus Training Report				
Program Implementation				
All Staff Training Documentation: Sign-in Sheets and Child Plus Training Report	Webinar from Early Childhood Investigators: Why Staff Fail to Report Suspected Child Abuse: Strategies to Ensure Consistent Reporting by Alan Gutman	All staff will understand that they are mandatory reporters.	School Director, Training Committee, Master Teachers	April 27, 2015
All Staff Training	Recognizing Child Abuse and reporting Policies,	All staff will have completed child abuse and	Community and Family Liaison	May 28, 2015

Documentation: Sign-in Sheets and Child Plus Training Report	Procedures and State Requirements. Educare's policy on Child Abuse	neglect training and understand Educare's policies, procedures, state law and licensing expectations.		At time of employment
Orientation for new staff Documentation: Orientation Sign-in sheets, Child Plus training report	Recognizing Child Abuse and reporting Policies, Procedures and state requirements. Educare's policy on Child Abuse	All new staff will have completed child abuse and neglect training and understand Educare's policies, procedures, state law and licensing expectations.	Master Teacher, Health Service Aide	
Parent Orientation Documentation: Parent Handbook Receipt and Orientation documentation	Families will understand Educare's child abuse reporting. Educare's policy on Child Abuse and Family Guide	All families will understand that Educare is a mandatory reporter for suspected child abuse and neglect.	Classroom teams, Family Enrichment Specialist or Community and Family Liaison	August 2015

April 16, 2015

CERTIFIED MAIL

Deborah Winkelmann, director
Educare at Indian Hill, Child Care Center
3110 W St.
Omaha, NE 68107

Dear Ms. Winkelmann;

Nebraska Revised Statutes, section 71-1911 (4), of the Child Care Licensing Act, effective July 16, 2004, provides the department may place a license on Corrective Action Status.

FACTS:

A complaint investigation by Children's Services Licensing substantiated that the following:
The following information was documented on written incident reports that were kept by Educare in the child's file;

9-14-14 A 3 month old child care child had a bruise on the right side of his head. Mother stated that there was a toy in the car seat and child fell asleep against it.

10-8-14 Same child in child care had a bruise on arm and mother indicates child slipped in bath tub while taking a bath and hit arm on the faucet.

10-13-14 Same child in child care had bruise under the left eye and the mother said the child fell asleep on his pacifier. Throughout the day the staff, Ms. Carrie noticed more bruising above the eye by his forehead.

11-17-14 Same child in child care had a bruise on the right side of his nose and there was no explanation from the mother on that day.

12-1-14 Same child in child care had a bruise on the right side of his nose and mother said it was due to him falling over.

1-12-15 Same child in child care had a bruise on the right side of his cheek that looked like he was bit. Mother said he was sitting up and fell and hit his face on the floor and then mother reported to someone else that when he fell over hit his head on a toy car.

2-18-15 Same child in child care had several cuts and scratches and the mother stated it was because he had a cold and that caused the cuts and scratches. Also on this date there was a mark by his belly button and one on his neck. The mother said the scrub brush she washed him with scratched him.

The above incidents were never reported to the Abuse/Neglect Hotline. Educare failed to report any concerns regarding the child until 3-16-15. Educare reported once they became aware that this child had been removed from his home.

REGULATORY BASES:

391 NAC 3-008.01 Denial and Disciplinary Actions

The Department may deny the issuance of or take disciplinary action against a license on any of the following grounds:

4. Conduct or practices detrimental to the health or safety of an individual served by or employed at the program;
9. Failure to file a report of suspected abuse or neglect as required by Neb. Rev. Stat. 28-372 and 28-711.

391 NAC 3-006.02 Director Requirements

The director is responsible for managing the day to day operations of the child care center. The director must report to the licensee all matters related to the maintenance, operation, and management of the child care center and be directly responsible to the licensee or to a person delegated governing authority by the licensee. The director must:

10. Immediately file a report with the Child Abuse-Neglect Hotline (1-800-652-1999) and/or appropriate local law enforcement agency when s/he has reason to believe child abuse, neglect, or sexual abuse may be occurring in the child care center, in the child's home, or elsewhere, or ensure that a report is filed.

DETERMINING CORRECTIVE ACTION STATUS:

The Department may place a provisional or operating license on a non-disciplinary Corrective Action Status for up to six months if:

- (a) The licensee is unable to comply with all licensure requirements and standards or has a history of non-compliance
- (b) The effect of the non-compliance with any rule or regulation does not present an unreasonable risk to the health, safety, or well-being of children or staff; and
- (c) The licensee has a written plan of correction that has been approved by the department

Based on the facts presented above and the regulations violated, the department is placing your operating license on Corrective Action Status for a period of six (6) months.

CORRECTIVE ACTION STATUS: PLAN OF CORRECTION

Corrective action status is voluntary and the decision regarding the placement on corrective action status is not appealable. However, you are required to submit a written Plan of Correction that must be approved by the department.

Your written plan of correction must:

- 1) Identify the issue(s) of concern
- 2) Identify who is responsible for corrections and maintenance of compliance
- 3) Include timelines; and
- 4) Specify the documentation to be provided to the Department.
- 5) Plan should include educating all staff on proper protocol for reporting abuse/neglect and specific training pertaining to the identification and reporting of suspected abuse/neglect of children.

Please submit your written Plan of Correction to Stef Sellers, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, 1313 Farnam St. Omaha, NE 68102 within ten calendar days after you receive this letter.

FAILURE TO SUBMIT CORRECTIVE ACTION PLAN:

If you do not submit a written Plan of Correction, or the written Plan of Correction is not approved, the department may discipline your license by imposing one or a combination of the following types of disciplinary action:

- (a) Issue a probationary (disciplinary) license;
- (b) Suspend or revoke a provisional, probationary, or operating license;
- (c) Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care effective date of finding violation, for each day the program is in violation;
- (d) Establish restrictions on new enrollment of the program;
- (e) Establish restrictions or other limitations on the number of children, or the age of the children served in this program; or
- (f) Establish other restrictions or limitations on the type of service provided by the program.

If you have questions regarding this letter, please contact Stef Sellers, Child Care Inspection Specialist at 402-595-3340 or Jo Pfeiffer, Child Care Licensing Supervisor at 402-595-3335.

Sincerely,


Jo Pfeiffer, Child Care Licensing Supervisor
Children's Services Licensing
1313 Farnam St.
Omaha, NE 68102

Cc: Stef Sellers, Child Care Inspection Specialist
Marsha Wandersee, Administrative Assistant II
Nancie Leinen, Resource Development, Contract Management Division